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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,693	01/15/2004	James A. Longman	069547.0170	8437
5073	7590	12/22/2005	EXAMINER	
BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			RADA, ALEX P	
			ART UNIT	PAPER NUMBER
			3713	

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

Office Action Summary	Application No. 10/759,693	Applicant(s) LONGMAN, JAMES A.	
	Examiner Alex P. Rada	Art Unit 3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/9/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

In response to the amendment filed October 5, 2005 in which the applicant amends claims 1, 12, 14, and 26, and claims 1-37 are pending in this application.

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the flow chart for the element of claim 14 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 10, 11-14, 16-17, 22, 23-26, 28-29, 34, and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazza et al. (US 2002/0070915) in view of Sanderson et al. (US 6,071,194).

4. Mazza et al discloses the following:

An interface application including a mapping module that defines a plurality of controller signal relationships, in which the examiner interprets the configuration engine (paragraph 41) to be an equivalent to a mapping module, each controller signal relationship associating one of a plurality of game controller (10) signals with one of a plurality of trading system commands associated with the electronic trading of financial instruments (paragraphs 36-41 and figure 4), wherein the interface application is operable to receive a particular game controller signal, determine the trading system command associated with the particular game controller signal using the mapping module, and communicate the determined trading system command such that the trading system command is executed (summary, figure 4, and paragraphs 36-41) as recited in claim 1.

The mapping module further defines a plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of

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keyboard signals with one of the plurality of trading system commands (paragraph 41 and figure 4) as recited in claim 2.

An input port (paragraph 36) in communication with the interface application (figure 4), and a game controller (10) operable to produce the plurality of game controller signals, the game controller configured to interface with the input port such that the game controller signals produced by the game controller are communicated to the interface application via the input port (summary) as recited in claim 3.

The input port is a USB type port, which is inherently in all computer systems as recited in claim 4.

The input port is a serial port (paragraph 34) as recited in claim 5.

The mapping module further defines one or more feedback signal relationships, each feedback signal relationship associating a trading platform signal with a controller feedback command; and wherein the interface application is further operable to receive a particular trading platform signal from a trading platform, determine the controller feedback command associated with the particular trading platform signal using the mapping module, and communicate the determined controller feedback command toward a game controller (summary and paragraph 30-33) as recited in claim 10.

The determined controller feedback command comprises a command to vibrate the game controller as recited in claims 11, 23, and 35.

The interface application is further operable to: provide to a user a controller configuration interface, in which the examiner interprets the configuration engine to

be an equivalent to configuration interface (paragraph 41), receive via the controller configuration interface one or more reconfiguration instructions, and reconfigure one or more of the plurality of controller signal relationships based on the received reconfiguration instructions (summary) as recited in claim 13.

Managing a plurality of controller signal relationships, each controller signal relationship associating one of a plurality of game controller signals with one of a plurality of trading system commands associated with the electronic trading of financial instruments via a trading platform (paragraphs 36-41 and figure 4), receiving a particular game controller signal generated by a game controller (10), determining the trading system command associated with the particular game controller signal based on the controller signal relationships, and communicating the determined trading system command toward the trading platform such that the trading system command may be executed by the trading platform (summary, figure 4, and paragraphs 36-41) as recited in claims 14 and 26.

The particular game controller signal generated by the game controller is received via a USB type port, which is inherently in all computer systems as recited in claims 16 and 28.

The particular game controller signal generated by the game controller is received via a serial port (paragraph 34) as recited in claims 17 and 29.

Managing one or more feedback signal relationships, each feedback signal relationship associating a trading platform signal with a controller feedback command, receiving a particular trading platform signal from a trading platform, determining the controller feedback command associated with the particular trading

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platform signal based on the feedback signal relationships, and communicating the determined controller feedback command toward the game controller (summary and paragraph 30-33) as recited in claims 22 and 34.

Providing to a user a controller configuration interface, in which the examiner interprets the configuration engine to be an equivalent to configuration interface (paragraph 41), receiving via the controller configuration interface one or more configuration instructions, and generating one or more of the plurality of controller signal relationships based on the received configuration instructions (summary) as recited in claims 24 and 36.

Providing to a user a controller configuration interface, in which the examiner interprets the configuration engine to be an equivalent to configuration interface (paragraph 41), receiving via the controller configuration interface one or more reconfiguration instructions, and reconfiguring one or more of the plurality of controller signal relationships based on the received reconfiguration instructions (summary) as recited in claims 25 and 37.

Mazza et al does not expressly disclose the following:

At least some of the controller signal relationships are associated with different users and determine at least one particular controller signal relationship based at least in part on an identify of a particular user as recited in claims 1, 14, and 26.

The interface application is further operable to: provide to a user a controller configuration interface, receive via the controller configuration interface one or more configuration instructions, and generate one or more of the plurality of controller

signal relationships based on the received configuration instructions as recited in claim 12.

Sanderson et al teaches the following:

At least some of the controller signal relationships are associated with different users and determine at least one particular controller signal relationship based at least in part on an identify of a particular user, in which the examiner interprets the reconfigurable game controller capable of being reconfigured to a users preferences to be an equivalent to at least some of the controller signal relationships are associated with different users and determine at least one particular controller signal relationship based at least in part on an identify of a particular user (summary) as recited in claims 1, 14, and 26.

The interface application is further operable to: provide to a user a controller configuration interface, receive via the controller configuration interface one or more configuration instructions, and generate one or more of the plurality of controller signal relationships based on the received configuration instructions (summary and figures 3-6) as recited in claim 12.

By having a user assign particular signals to the game controls on a game controller and configuration interface, one of ordinary skill in the art would provide a customizable game controller configured to a user's precise preferences to a specific game or application.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Mazza et al to include at least some of the controller signal relationships are associated with different users and determine at

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least one particular controller signal relationship based at least in part on an identify of a particular user and user a controller configuration interface, receive via the controller configuration interface one or more configuration instructions, and generate one or more of the plurality of controller signal relationships based on the received configuration instructions as taught by Sanderson et al to provide a fully customizable game controller configured to a user's precise preferences to a particular game or application.

5. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazza et al. (US 2002/0070915) in view of Sanderson et al. (US 6,071,194) as applied to claim 1 above, and further in view of Niedzwiecki (US 5,896,125).

6. Mazza et al in view of Sanderson et al disclose the claimed invention as discussed above except for the following:

A keyboard input port in communication with the interface application, a keyboard operable to produce keyboard signals and configured to interface with the keyboard input port such that keyboard signals produced by the keyboard are communicated to the interface application via the keyboard input port, the keyboard including a controller input port; and a game controller operable to produce the plurality of game controller signals, the game controller configured to interface with the controller input port such that the game controller signals produced by the game controller are communicated to the interface application via the keyboard as recited in claim 6.

The controller input port is a USB type port as recited in claim 7.

The controller input port is a serial port as recited in claim 8.

Niedzwiecki teaches the following:

A keyboard input port in communication with the interface application, a keyboard (figures 4a-4b) operable to produce keyboard signals and configured to interface with the keyboard input port such that keyboard signals produced by the keyboard are communicated to the interface application via the keyboard input port (figure 2), the keyboard including a controller input port (figures 2 and), and a game controller operable to produce the plurality of game controller signals (20b of figure 2), the game controller configured to interface with the controller input port such that the game controller signals produced by the game controller are communicated to the interface application via the keyboard (summary) as recited in claim 6.

The controller input port is a USB type port (figure 2) as recited in claim 7.

The controller input port is a serial port (figure 2) as recited in claim 8.

By having a game controller communicated to the interface application via the keyboard, one of ordinary skill in the art would provide users to input signals, such as keystroke signal, to be consolidated on one module into a single signal stream for coupling to the computer.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Mazza et al to include a keyboard input port in communication with the interface application, a keyboard operable to produce keyboard signals and configured to interface with the keyboard input port such that keyboard signals produced by the keyboard are communicated to the interface application via the keyboard input port, the keyboard including a controller input port and the game controller signals produced by the game controller are

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communicated to the interface application via the keyboard and the controller input port is a USB type port as taught by Niedzwiecki to provide a device that is capable of accommodating different types of interface hardware for video game controllers and other types of input devices by directing all inputs to the computer via the computer's keyboard port.

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mazza et al. (US 2002/0070915) in view of Sanderson et al. (US 6,071,194) and Niedzwiecki (US 5,896,125) as applied to claim 6 above, and further in view of McCausland et al. (US 5,243,331).

8. Mazza et al in view of Sanderson et al and Niedzwiecki disclose the claimed invention as discussed above except for the following:

The mapping module further defines a plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals produced by the keyboard with one of the plurality of trading system commands as recited in claim 9.

McCausland et al teaches the following:

A plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals produced by the keyboard with one of the plurality of trading system commands (figures 2-3 and summary) as recited in claim 9. By having a plurality of keyboard signals with trading system commands, one of ordinary skill in the art would provide an automated trading system making use of an interactive keypad for transactions in securities markets.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Mazza et al to further include a

plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals produced by the keyboard with one of the plurality of trading system commands as taught by McCausland et al to provide an automated trading system making use of an interactive keypad for transactions in securities markets.

9. Claims 15 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazza et al. (US 2002/0070915) in view of Sanderson et al. (US 6,071,194) as applied to claims 14 and 26 above, and further in view of McCausland et al. (US 5,243,331).

10. Mazza et al in view of Sanderson et al disclose the claimed invention as discussed above except for the following:

Managing a plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals with one of the plurality of trading system commands, receiving a particular keyboard signal generated by a keyboard, determining the trading system command associated with the particular keyboard signal based on the keyboard signal relationships, and communicating the determined trading system command toward the trading platform such that the trading system command may be executed by the trading platform (figures 2-3 and summary) as recited in claim 15. By managing a plurality of keyboard signal relationships to the trading system, one of ordinary skill in the art would provide an automated trading system making use of an interactive keypad for transactions in securities markets.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Mazza et al to further include

managing a plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals with one of the plurality of trading system commands, receiving a particular keyboard signal generated by a keyboard, determining the trading system command associated with the particular keyboard signal based on the keyboard signal relationships; and communicating the determined trading system command toward the trading platform such that the trading system command may be executed by the trading platform as taught by McCausland et al to provide an automated trading system making use of an interactive keypad for transactions in securities markets.

11. Claims 18-20 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazza et al. (US 2002/0070915) in view of Sanderson et al. (US 6,071,194) as applied to claims 14 and 26 above, and further in view of Niedzwiecki (US 5,896,125).

12. Mazza et al in view of Sanderson et al disclose the claimed invention as discussed above except for the following:

The game controller is coupled to a controller input port provided by a keyboard, and wherein the particular game controller signal generated by the game controller is received via the controller input port as recited in claims 18 and 30.

The controller input port is a USB type port as recited in claims 19 and 31.

The controller input port is a serial Port as recited in claim 20 and 32.

Niedzwiecki teaches the following:

The game controller is coupled to a controller input port provided by a keyboard (figures 4A-4B), and wherein the particular game controller signal

generated by the game controller is received via the controller input port (figure 2) as recited in claim 18.

The controller input port is a USB type port (figure 2) as recited in claim 19.

The controller input port is a serial Port (figure 2) as recited in claim 20. By having the game controller coupled to a controller input port provided by a keyboard, one of ordinary skill in the art would provide a device that is capable of accommodating different types of interface hardware for video game controllers and other types of input devices by directing all inputs to the computer via the computer's keyboard port.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Mazza et al to further include a game controller being coupled to a controller input port provided by a keyboard, and wherein the particular game controller signal generated by the game controller is received via the controller input port and the controller input port is a USB/serial type port as taught by Niedzwiecki to provide a device that is capable of accommodating different types of interface hardware for video game controllers and other types of input devices by directing all inputs to the computer via the computer's keyboard port.

13. Claims 21 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazza et al. (US 2002/0070915) in view of Sanderson et al. (US 6,071,194) and Niedzwiecki (US 5,896,125) as applied to claim 18 above, and further in view of McCausland et al. (US 5,243,331).
14. Mazza et al in view of Sanderson et al and Niedzwiecki disclose the claimed invention as discussed above except for the following:

Managing a plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals with one of the plurality of trading system commands; receiving a particular keyboard signal generated by the keyboard; determining the trading system command associated with the particular keyboard signal based on the keyboard signal relationships', and communicating the determined trading system command toward the trading platform such that the trading system command may be executed by the trading platform figures 2-3 and summary) as recited in claims 21 and 33.

McCausland et al teaches the following:

Managing a plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals with one of the plurality of trading system commands; receiving a particular keyboard signal generated by the keyboard; determining the trading system command associated with the particular keyboard signal based on the keyboard signal relationships', and communicating the determined trading system command toward the trading platform such that the trading system command may be executed by the trading platform figures 2-3 and summary) as recited in claims 21 and 33. By having a plurality of keyboard signals with trading system commands, one of ordinary skill in the art would provide an automated trading system making use of an interactive keypad for transactions in securities markets.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Mazza et al to further include a plurality of keyboard signal relationships, each keyboard signal relationship

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associating one of a plurality of keyboard signals produced by the keyboard with one of the plurality of trading system commands as taught by McCausland et al to provide an automated trading system making use of an interactive keypad for transactions in securities markets.

Response to Arguments

15. Applicant's arguments with respect to claims 1-37 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 571-272-4452. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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TC3700